

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. A33640

MBHB Case No. 04-914-A

Re the Application of:

Jae-Hong Park et al.

Serial No.: 09/694,805

Filed: October 23, 2000

For: METHOD FOR PERFORMING
HANDOFF BETWEEN
ASYNCHRONOUS BASE STATION
AND SYNCHRONOUS BASE
STATION

Examiner: Jason E. Mattis

Group Art Unit: 2665

Confirmation No.: 2797

TRANSMITTAL LETTER

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In regard to the above identified application,

1. I am transmitting herewith the attached:
 - a) Issue Fee Transmittal – PTOL 85 – Part B;
 - b) Comments on Statement of Reasons for Allowance;
 - c) Check for \$1,400.00; and
 - d) Return receipt postcard.
2. With respect to fees:
 - a) A check for \$1,400 is enclosed.
 - b) Please charge any underpayment or credit any overpayment of fees to Deposit Account, No. 13-2490.
3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 27, 2005.

Respectfully submitted,

Date: June 27, 2005

By: 

Robert J. Irvine III
Reg. No. 41,865



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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Responsive to the Notice of Allowance mailed April 18, 2005 and the Examiner's statement regarding allowable subject matter made by the Examiner in the Office Action mailed February 17, 2004, the Applicants submit the following Comments on Statement of Reasons for Allowance.

The Applicants express appreciation for the allowance of the presently pending claims, and note the Examiner's reasons for allowance, but further comment that the art of record, alone and in combination, fails to show, teach or suggest the entirety of each combination of steps and/or structure recited by each of the allowed claims of the present invention.

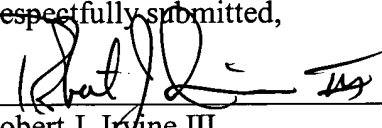
The Applicants respectfully submit that reasons for allowance are only warranted in instances in which the record of the prosecution as a whole does not make clear the Examiner's

reasons for allowing a claim or claims. In light of the original disclosure, previous Office Actions and responses, however, the Applicants believe that the record as a whole does make the reasons for allowance clear.

Further, the Applicants do not necessarily agree with each statement regarding reasons for allowance. The Applicants believe that the statement regarding allowable subject matter in this case is improper as it merely copies limitations of the claims into the reasons for allowance. In particular, the Examiner indicates that claims 6 and 13 are allowable over the prior art of record because the cited references taken individually, or in combination, fail to disclose the claim elements of (i) storing one period of the common channel, (ii) accumulating an output value of the common channel at every period, thereby generating accumulated values, and (iii) selecting a maximum value of the accumulated value. The last two of these three claim elements are not recited in claims 6 and 13, as originally filed or as presently pending.

Further still, while the Applicants believe that the claims are allowable, they do not acquiesce that patentability resides in each feature, exactly as expressed in the claims, nor that each feature is required for patentability.

Date: June 27, 2005

Respectfully submitted,
By: 
Robert J. Irvine III
Reg. No. 41,865